(24)

HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition (s) No. 2484 of 2007

Petitioner		Chamra Singh Kanwar, S/o Shri Anjor Singh, Aged about 30 years, Assistant Teacher, Primary School Tihali Sarai (Kendai) Pondi Uproda, Dist. Korba, Chhattisgarh
		Versus
Respondents	1	State of Chhattisgarh Through the Secretary, Tribal Welfare Department, D.K.S. Bhawan, Mantralaya, Raipur, Chhattisgarh
	2	Secretary, School Education Department, D.K.S. Bhawan, Mantralaya, Raipur, Chhattisgarh
	3	Commissioner, Tribal Welfare Chhattisgarh Government, D.K.S. Bhawan, Mantralaya, Raipur, Chhattisgarh.
	4	Block Development Education Officer, Block Korba, Dist. Korba, Chhattisgarh.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Justice Shri Satish K. Agnihotri

Mr. Amrito Das, Advocate for the Petitioner.
Mr. Vinay Pandey, Panel lawyer for the respondents/State.

ORDER

(Passed on this 23rd day of April, 2007)

1. Learned counsel appearing for the petitioner as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** {2006 (II) MPJR-CG 96}, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** **vs.** ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant

25

to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** **vs.** ***The State Govt. of Chhattisgarh and another***) (Supra).

3. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and anisother** (Supra), subject to verification of the fact as to whether the petitioner has acquired D. Ed. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

B/-